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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

PRICE, CARL D

ART UNIT	PAPER NUMBER
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3749

MAIL DATE	DELIVERY MODE
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01/11/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/603,947

Applicant(s)

DOWST ET AL.

Examiner

CARL D. PRICE

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 106-160 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 106-160 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on **10/17/2007** has been entered.

Response to Arguments

Applicant's arguments filed **10/17/2007** have been fully considered but they are not persuasive. In this regard, but for amendments to claim 151, applicant's response requests reconsideration of previously presented claims 106-150 and 152-160 arguing the following:

“... it would not be obvious to combine the features of the Goerl reference with those of the Horner reference and, even if they were combined, they would not result in the invention as claimed by the applicants. Regarding the obviousness of the combination, the Goerl et al. reference has been a matter of public knowledge since 1939, and the Horner reference has been a matter of public knowledge since 1961. Clearly, nobody skilled in the art has seen fit to combine the features of the two to obtain the applicants invention. By the applicant's submission of its Affidavit under 35 CFR 1.132, an effort has been made to show evidence that 1) the industry recognized the significance and breakthrough nature of the applicant's invention, 2) the product met with overwhelming success in the marketplace and allowed the owner to quickly overcome its competitors in market share and 3) after having been shown the way, the competition commenced to copy the applicants in its design features. Thus, the applicants believe that these secondary considerations are very supportive of the position that it would have not been obvious to a person having ordinary skill in the art to modify the Goerl reference to include a single thermally conductive member along the entire extent of a peripheral edge of the external bottom side in the manner as set forth in applicant's claims, in view of the teaching of Horner, as suggested by the Examiner. A reconsideration of the Examiner's rejections on the basis of 37 CFR 103 is respectfully requested in view of the applicant's Affidavit under 35 CFR 1.132 submitted herewith. “

In response to applicant's arguments against the combination of teachings proffered as obvious combination(s) in the Examiner's rejection of claims, the Examiner restates the reasons, responding to applicant's arguments filed 10/2/2006 and 01/25/2007. why it is

believed the invention would have been obvious to a person having ordinary skill in the art at the time of applicant's invention.

With regard to the prior art reference of **GB000882881 (Horner)** applicant argues the following:

"Firstly, the applicants do not agree that this reference is in the "same portable heater field of endeavor" as the present invention. This reference describes a tea kettle which may be portable to the extent that it is moved to and from a stove but is not a self-contained, portable heating system which includes a heater with a top housing, bottom housing and a burner. Accordingly, we do not believe that the tea kettle design is necessarily in the same portable heater field of endeavor as suggested by the Examiner."

The examiner however maintains the position that **GB000882881 (Horner)** is indeed related to applicant's same portable heater field of endeavor at least in the manner suggested in applicant's remarks. That is, the tea kettle "may be portable to the extent that it is moved". Notwithstanding the potential uses or applications for a heating vessel of the type disclosed **GB000882881 (Horner)** is at least of the applicant's same portable heated cooking vessel and addresses the same problem of enhancing the transfer of heat from sources not unlike that intended by applicant. **GB000882881 (Horner)** discloses, for example, "heating the vessel by "a gas flame or by a flame from an oil or spirit burner" and where vessel construction is intended to provide "improved means for distributing the heat of the flame or gases over the base of the appliance".

With regard to the prior art reference of **US002154305 (Goerl)** applicant argues the following:

"It should be recognized that the '305 patent has been publicly available since 1939 and that the '881 has been publicly available since 1961. If the combination of the features of these two references were obvious to one skilled in the art, why has no one else (i.e. other than the present inventors), made such a combination in the last 45 years?"

With regard to the prior art reference of **DE3339848** applicant argues the following:

"Applicant is reminded that the prior art reference of **DE3339848** is cited merely to teach the known advantages sizing a burner to be smaller than a heat transfer opening of a vessel assembly, to ensure optimal heat transfer. In response to applicant's arguments

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against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986)."

Also, with regard to the prior art reference of **US002154305 (Goerl)**, as applied to claims 151-154 and 159, applicant argues the following:

"Even though the diameter of the lower end rim (55) is less than the diameter of the vessel outlet port (35), it does not follow that the bottom housing 17 can be placed in the vessel cavity, since the lower wall portion 33 is conically tapered and would not allow the bottom housing 17 to be placed therein in an upright position. For that reason, the bottom housing 17 is placed within the container 13 in an inverted position as will be seen in Fig. 4. For clarification purposes claim 152 has been amended to further distinguish over the '305 reference."

In this regard, applicant's attention is directed to Figure 4 of **US002154305 (Goerl)** which shows the bottom housing (17) contained within the interior cavity of the vessel (13). The vessel of **US002154305 (Goerl)** does indeed include a bottom (31) arranged in the same manner intended by applicant. The end wall portion (at 32) is the structural equivalent to the broadly recited "...the external bottom end of said vessel ...". That is, the top housing (16) has a top rim (53) coupled circumferentially to the external bottom end of the vessel (at 32, 53).

Claims 106-160 remain rejected for the reasons set forth herein above as well as for the reasons set forth in the examiner's action re-stated herein below.

Affidavit under 37 CFR 1.132

The Affidavit under 37 CFR 1.132 filed **10/17/2007** is insufficient to overcome the rejection of claims 106-160 based upon:

(1) Claims **151-154** and **159** rejected under 35 U.S.C. 102(b) as being anticipated by **US002154305 (Goerl)** as set forth in the last Office action because **US002154305 (Goerl)** otherwise meets the limitations of the claims. Whether or not sales of a device known in the art more than one year prior to applicant's invention may have achieved commercial success of a device including features not distinguishable from those shown and disclosed by

US002154305 (Goerl) is not germane to the issue of patentability based on anticipation of the claimed invention under 35 USC 102(b). Indeed, contrary to applicant's argument that "Clearly, nobody skilled in the art has seen fit to combine the features of the two to obtain the applicants invention.", **US002154305 (Goerl)** itself represents the level or ordinary skill in the art as being suitably apprised of the advantages of combining features such as a top housing, bottom housing and thermally conductive vessel to form a portable heating system, at least in the manner broadly recited in applicant's claims **151-154** and **159**.

(2) Claims **106-116** rejected under 35 U.S.C. 103(a) as being unpatentable over **US002154305** in view of **GB000882881**; Claims **117-149** are rejected under 35 U.S.C. 103(a) as being unpatentable over **US002154305** in view of **GB000882881** and **DE 33 39 848**; and Claims **156-158** and **160** rejected under 35 U.S.C. 103(a) as being unpatentable over **US002154305** in view of **FR 2 446 097** as set forth in the last Office action because:

- Affiant's suggestion that each of the articles in Exhibits A, B, C, D and E "indicates that the Fluxring and its associated efficiency improvements is the primary reason the granting of awards" is not found to be convincing. It can not be seen where these publications necessarily represent Affiant's conclusion as a statement of fact. Nor can it be seen where these articles necessarily attribute the characteristic of the Fluxring and its associated efficiency improvements is the primary reason any positive statements made therein. For example, Exhibit "A" makes no association of the device with "efficiency" as a primary attribute of the device. Rather, Exhibit "A" discusses "quickly and safely" preparing food and that the device "cuts the risk of forest fires". Exhibit "B" touts the device as the "most lightweight camp stove" as well as the ability to keep out wind and short water boiling times. While Exhibit "C" mentions the device as "remarkably efficient" the review of the device equally highlights that "it's also tops in innovation, with an electrical ignition system, insulated cooking cup, and lightweight, compact design that makes it simple to use and easy to carry...". Exhibits "D" and "E" discuss both the weatherproofing and efficiency of Jetboil only in terms of the "innovative new stove system", and fails to

discuss which portion of the device necessarily relates to aspects of applicant's claimed invention.

- In addition, it is noted that none of the information presented in Exhibits A, B, C, D and E necessarily presents factual evidence which would support a finding that the critical aspects of the claimed invention (i.e. – Fluxring) necessarily can be attributed to any supposed commercial success. For example, none of the information of Exhibits A, B, C, D and E presents objective data from which one could conclude the comparative efficiency of the device.
- Affiant attempt to establish a certain level of commercial success supportive of nonobviousness of the claimed invention by data appearing in Exhibit "F". While the data representing market share for applicant's product appears to show an increase in market share Affiant has not presented factual evidence that the claim features of interest to Affiant (See Affidavit page 2, lines 1-17) necessarily result in this increased market share. Indeed, Affiant's own Exhibits A, B, C, D and E suggest that the entirety of the product design (e.g. – ignition system, insulated container, weight, the manner of collapsing the device, wind resistance, thermal heat transfer characteristic, construction materials, etc.) may as a whole have contributed to any success in the market, rather than sole due to the presence of those claimed features called out by Affiant. In addition, regarding the decline in market share for the Mountain Safety Research single burner stoves discussed by Affiant, there is no information presented by Affiant to aide in an objective evaluation of this data. That is, Affiant has not accounted for matters which may have accounted for the apparent decline in market share for the Mountain Safety Research single burner, other than the emergence on the market of applicant's JetBoil device. More specifically, it is not known whether or not matter related to financial, corporate, advertising and/or product line, etc. for Mountain Safety Research single burners alone are the reason for any loss of market share. Finally, with regard to Mountain Safety Research, it is noted that during the time period between 2006Q3 and 2006Q4 the market share of Mountain Safety Research and JetBoil were notably about the same, and indeed during the time period 2006Q4 to 2007Q2 the market share data in Affiant's Exhibit

"F" suggests a decreasing variance between the market share of Mountain Safety Research and JetBoil products, this is evidence contrary to Affiant's suggestion that the present claimed invention has alone achieved a level of commercial success necessarily indicative of nonobviousness of the claimed invention.

- With regard to Exhibit "G", while the select examples of other products available in the market may not "integrate the vessel with the heat exchanger or with the burner, nor do they provide a heat exchanger for improved efficiencies", other prior art teachings available at the time of applicant's invention. The mere fact that other select available devices do not have features recited in applicant's claims is not itself evidence of or supportive of nonobviousness. Nor does it necessarily support a conclusion that it would have not been obvious to a person having ordinary skill in the art to combine known features to arrive at predictable and expected results.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless —

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims Rejected under 35 U.S.C. 102(b)

Claims **151-154** and **159** are rejected under 35 U.S.C. 102(b) as being anticipated by **US002154305** (of record).

US002154305 shows a portable heating system comprising:

- a vessel (13) having a thermally conductive bottom end defining an external bottom side (31, 32, 33) of the vessel;
- a top housing (16) having a top rim (53) coupled circumferentially to the external bottom end of the vessel (at 32, 53), a side structure (54) extending downwardly from the top rim (53) and having a plurality of exhaust vents (82) formed therein, and a bottom rim (48, 51);

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- a bottom housing (17) having a top rim (49, 52) configured to be selectively coupled to the top housing bottom rim (48) and containing a burner (15) having a heat outlet head disposed below the external bottom side of the vessel when the bottom housing is coupled to the top housing (see figure 8), the bottom housing further having a plurality of air inlet vents (81) formed therein;
- wherein the bottom housing is so configured and sized as to be removable from said top housing and temporarily placed for storage in the vessel cavity (see figure 4).
- In regard to claim 152, since the diameter of the lower end rim (55) of the bottom housing (17) is less than the diameter of vessel outlet port (35) it is capable of being placed in the vessel in the manner set forth in the claim.
- In regard to claims 153 and 154, the fuel source and burner are formed as a single unit and supported by and at a lower bottom housing location (i.e. -below the top rim (49)).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims Rejected under 35 U.S.C. 103(a)

Claims **106-116** are rejected under 35 U.S.C. 103(a) as being unpatentable over **US002154305** (of record) in view of **GB000882881** (newly cited).

US002154305 shows a portable heating system comprising:

- a vessel (13) having a thermally conductive bottom end defining an external bottom side (31, 32, 33) of the vessel;
- a top housing (16) having a top rim (53) coupled circumferentially to the external bottom side of the vessel (at 32, 53), a side structure (54) extending downwardly from the top rim (53) and having a plurality of exhaust vents (82) formed therein, and a bottom rim (48, 51);
- a bottom housing (17) having a top rim (49, 52) configured to be selectively coupled to the top housing bottom rim (48) and containing a burner (15) having a heat outlet head disposed below the external bottom side of the vessel when the bottom housing is coupled to the top housing (see figure 8), the bottom housing further having a plurality of air inlet vents (81) formed therein

US002154305 shows and discloses the invention substantially as set forth in the claims with possible exception to:

- a single thermally conductive member (15) along the entire extent of a peripheral edge of the external bottom side. The member comprising a continuous piece of aluminum material soldered to and positioned adjacent to and extending continuously over the bottom of a vessel (see page 2, lines 100-105).

GB000882881 teaches, from applicant's same portable heater field of endeavor, placing a single thermally conductive member (15) along the entire extent of a peripheral edge of the external bottom side. The member comprising a continuous piece of aluminum material soldered to and positioned adjacent to and extending continuously over the bottom of a vessel (see page 2, lines 100-105).

In regard to claims **106-116**, for the purpose of making the base readily separable from the base and the base is storable within the vessel and to increase the thermal heat efficiency by confining the flow to heat about the vessel bottom, it would have been obvious to a person having ordinary skill in the art to modify **US002154305** to include a single thermally conductive member (15) along the entire extent of a peripheral edge of the external bottom side in the manner set forth in applicant's claims, in view of the teaching of **GB000882881**.

In regard to claims **111-116**, since shape of the protrusions the manner of coupling (e.g. – soldering, brazing, gluing, etc.), the height of the vessel, length of the protrusions, aspect ratio of the protrusions, etc. would depend on numerous design concerns such as the overall size and shape of both the burner and vessel, the type of substance being heat, the amount of heat intended to be transferred to the substance through the vessel wall, etc., to configure the protrusions to have dimensions and to be attached in the manner set forth in the claims, can be viewed as nothing more than merely a matter of choice in design absent the showing of any new or unexpected results produced there from over the prior art of record. Further in this regard it is noted that **GB000882881** itself teaches that elements, such as apertures 20, are of such a size “that the maximum amount of heat is absorbed by the strip 15 which is secured in intimate heat-conducting relationship with the base of the kettle” (beginning page 2, line15).

Claims Rejected under 35 U.S.C. 103(a)

Claims **117-149** are rejected under 35 U.S.C. 103(a) as being unpatentable over **US002154305** (of record) in view of **GB000882881** (newly cited) and **DE 33 39 848** (of record).

US002154305 shows a portable heating system comprising:

- a vessel (13) having a thermally conductive bottom end defining an external bottom side (31, 32, 33) of the vessel;
- a top housing (16) having a top rim (53) coupled circumferentially to the external bottom side of the vessel (at 32, 53), a side structure (54) extending downwardly from the top rim (53) and having a plurality of exhaust vents (82) formed therein, and a bottom rim (48, 51);
- a bottom housing (17) having a top rim (49, 52) configured to be selectively coupled to the top housing bottom rim (48) and containing a burner (15) having a heat outlet head disposed below the external bottom side of the vessel when the bottom housing is coupled to the top housing (see figure 8), the bottom housing further having a plurality of air inlet vents (81) formed therein.

US002154305 shows and discloses the invention substantially as set forth in the claims with possible exception to:

- a single thermally conductive member (15) along the entire extent of a peripheral edge of the external bottom side. The member comprising a continuous

piece of aluminum material soldered to and positioned adjacent to and extending continuously over the bottom of a vessel (see page 2, lines 100-105).

GB000882881 teaches, from applicant's same portable heater field of endeavor, placing a single thermally conductive member (15) along the entire extent of a peripheral edge of the external bottom side. The member comprising a continuous piece of aluminum material soldered to and positioned adjacent to and extending continuously over the bottom of a vessel (see page 2, lines 100-105).

DE 33 39 848 teaches (figures 1 and 2), from applicant's same portable heater field of endeavor dimension the outer burner diameter to be less than the diameter of the inner central cavity formed by the thermally conductive members, for the purpose of effectively directing heat from the burner flames into and along the heat transfer passages.

In regard to claims **117-149**, for the purpose of making the base readily separable from the base and the base is storable within the vessel and to increase the thermal heat efficiency by confining the flow to heat about the vessel bottom, it would have been obvious to a person having ordinary skill in the art to modify **US002154305** to include a single thermally conductive member (15) along the entire extent of a peripheral edge of the external bottom side in the manner set forth in applicant's claims, in view of the teaching of **GB000882881**. Furthermore, in regard to claims **117-149**, for the purpose of effectively directing heat from the burner flames into and along the heat transfer passages, it would have been obvious to a person having ordinary skill in the art to dimension the outer burner diameter to be less than the diameter of the inner central cavity formed by the thermally conductive members, in view of the teaching of **DE 33 39 848**.

In regard to claims **122-128, 134-139 and 145-149**, since shape of the protrusions the manner of coupling (e.g. – soldering, brazing, gluing, etc.), the height of the vessel, length of the protrusions, aspect ratio of the protrusions, etc. would depend on numerous design concerns such as the overall size and shape of both the burner and vessel, the type of substance being heat, the

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amount of heat intended to be transferred to the substance through the vessel wall, etc., to configure the protrusions to have dimensions and to be attached in the manner set forth in the claims, can be viewed as nothing more than merely a matter of choice in design absent the showing of any new or unexpected results produced there from over the prior art of record. Further in this regard it is noted that **GB000882881** teaches that elements, such as apertures 20, are of such a size "that the maximum amount of heat is absorbed by the strip 15 which is secured in intimate heat-conducting relationship with the base of the kettle" (beginning page 2, line15).

Claims 156-160: Rejected under 35 U.S.C. 103

Claims **156-158** and **160** are rejected under 35 U.S.C. 103(a) as being unpatentable over **US002154305** (of record) in view of **FR 2 446 097** (of record).

US002154305 shows and discloses the invention substantially as set forth in the claims with possible exception to:

- an igniter portion disposed above the burner and a recess or indentation in the cover (15) for receiving or accommodate the extending igniter portion; and
- friction or slot and dimple attachment means for the upper and lower housings.

FR 2 446 097 teaches, from applicant's same portable heater field of endeavor, providing portable collapsible heaters with burners of the type having a threaded fuel source connection located in the lower portion thereof for connection to a fuel source there below.

In regard to claim **155-158** and **160**, for the purpose of providing a suitable alternative burner and fuel source, it would have been obvious to a person having ordinary skill in the art to modify **US002154305** to include a burners of the type having a threaded fuel source connection located in the lower portion, in view of the teaching of **FR 2 446 097**. Also, Official Notice is taken that it is well known to place igniters above, that is, downstream of fuel exiting burner heads as a recognized optimal location to effect ignition of the fuel. Thus, in view of that which is well known, it would have been obvious to a person having ordinary skill in the art to provide **US002154305** with such an igniter arrangement. Regarding any necessary recess or indentation in the cover for receiving or accommodate the extending igniter portion it is noted that the covers

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(23, 39, 40, and 41) of **US002154305** is formed with such a recess capable of performing this function. In regard to claims **159** and **160**, Official Notice is taken that burner components are known to be secured by slot and dimple attachment means for (see for example **US004374489**). Thus, it would have been obvious to a person having ordinary skill in the art to modify attachment of the upper and lower housings in **US002154305** to include such well known securing and fastening arrangement.

Conclusion

See the attached PTO FORM for prior art made of record that is not relied upon, which is considered pertinent to applicant's disclosure.

USPTO CUSTOMER CONTACT INFORMATION

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **CARL D. PRICE** whose telephone number is (571) 272-4880. The examiner can normally be reached on Monday through Friday between 6:30am-3:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven B. McAllister can be reached on (571) 272-6785. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


CARL D. PRICE
Primary Examiner

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